

REMARKS

Applicants appreciate the Examiner's review of the present application and respectfully request reconsideration based on the following remarks. Claims 1-3, 6-9, and 11-18 are pending in the present application. Applicants have filed this Response after Final within two months of the Final Office Action.

Rejections under 35 U.S.C. 103

Focusing on the Examiner's response to Applicant's Response filed on February 3, 2005, on Page 4 of the Examiner's response (with regard to Claims 5 and 10), the Examiner states that Applicants do not claim the feature of changing the multiplexing which does not change the contents of the data streams. Applicants have therefore amended the three independent claims (Claims 1, 13, and 16). The Claims now recite:

increasing a data rate of said plurality of data streams at a time before an end point of a segment by changing the multiplexing for said plurality of streams, wherein such changing of multiplexing does not affect the contents of said plurality of data streams

Claim 1, lines 11-12, as amended, Claims 13 and 16 are similarly amended.

Zhang does not disclose this feature. Zhang merely discloses re-encoding the streams (which physically changes the contents of the stream), not specifically changing the multiplexing of the streams (without affecting the contents of the data streams). See Col. 12 lines 3-30.

The Examiner states that "Moreover, Zhang discloses that by recoding on all the video programs/streams in the same multiplex (statistically multiplexed bit streams) so to achieve rate matching, thereby changing the multiplexing for the plurality of streams (Col. 11 lines 55-Col. 12 lines 30)." Applicants respectfully point out that in all cases, Zhang depends upon recoding of the data streams, thereby altering the data streams. In Applicants invention as claimed, the content of the data streams are not affected. Accordingly, Applicants assert that Zhang either

alone or in combination with any other reference does not disclose or make obvious all the features of the invention as claimed in Claim 1.

Applicants have amended Claim 13 and 16 to include similar subject matter. Applicants have also amended some language in Claim 16 to more clearly recite the invention (replacing “the” with “said”). Applicants have also canceled Claims 4, 5 and 10 because subject matter recited in those claims is now included in the parent independent claims.

Accordingly, Applicants assert that all claims are now allowable in the present application.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such action is hereby solicited. Alternatively, Applicants believe this amendment places the claims in better form for Appeal, if necessary. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to contact the undersigned at the telephone number listed below.

In the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 50-0369 therefore.

Dated:

1/1/05

Respectfully submitted,



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